D.B.CIVIL WRIT PETITION NO. 2170/2006
Babu Lal Siyota v. Dist. Collector, Jodhpur & ors.

Date of order : 01.05.2006

HON'BLE THE CHIEF JUSTICE SHRI S.N.JHA
HON'BLE SHRI JUSTICE DINESH MAHESHWARI

Shri Himanshu Maheshwari for the petitioner

The petitioner has approached this Court making grievance of construction of a four storied building by respondent no.9 Smt. Jheema Devi and opening a school by the name, K.R.Public Senior Secondary School, therein. Particulars of the land on which the building has been constructed has not been disclosed but it is said that the building has been constructed by the side of the residential house of the petitioner bearing no. 988 in the residential colony developed on Khasra no. 773, Khema ka Kuan, Pal Road, Jodhpur. It is said that construction of a four storied building is hazardous to the lives and security of the residents as there are chances of collapse of building at any moment on account of sand sliding, heavy rain, minor earth quake or stormy winds. It is also said that the construction has been made without taking permission of the proper authorities and in violation of the relevant laws.

We are inclined to think that the apprehensions of the petitioner

may be over statements and imaginary but if it is a fact that the construction has been made in violation of laws and without permission of the authorities, it surely calls for inquiry and remedial action. The purpose of writ petition will be served by directing the concerned officials of the Urban Improvement Trust, Jodhpur and the Public Works Department of the State Government to look into the matter and do the needful in accordance with law. We order accordingly.

The petition stands disposed of.

(DINESH MAHESHWARI),J. (S.N.JHA), C.J.

Mathur/